

From: Paul Koenigsberg
To: Microsoft ATR
Date: 1/23/02 12:49pm
Subject: Microsoft Settlement

To Whom It May Concern:

As a web programmer, I am opposed to the settlement in its proposed form, the primary reason being its wording that amounts to Microsoft's complete discretion over which entities can access their Application Programming Interfaces ("APIs"). Such discretion effectively allows Microsoft to control which technologies can interact with its products, further strengthening their leverage in current and future markets.

I would also warn that this settlement, if allowed to proceed, will have damaging consequences in the long run for Microsoft and the U.S. technology sector itself. Governments, businesses, and technologists in foreign countries are watching this case with a keen interest. What they see is Microsoft's political coming-of-age, via the Bush administration, via their soft money contributions, and the leniency of the settlement. Microsoft can be perceived as having a new, close relationship w/ the U.S. government and U.S. national interests. As a consequence, and against the backdrop of a security-conscious world, foreign governments and businesses will seek non-U.S., non-Microsoft technology solutions for their critical and widely deployed applications in the name of security, as some are doing already. Domestically, companies and individuals who are privacy-conscious will no doubt step up their efforts to find alternative software solutions to Microsoft as well.

Microsoft is already in trouble with their small to medium-sized business customers in regards to their new price-gouging software licensing, costing 25 to 30% more annually in most cases. Please don't let them shoot themselves in the other foot with a settlement that rewards them for anti-competitive behavior and sends a message to the world that Microsoft is in bed with the U.S. government.

Cordially,

Paul Koenigsberg
335 West 19th St. #C12
New York, N.Y. 10011
email: paul@sloangroup.com <mailto:paul@sloangroup.com>

